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Signature Page*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JANE DOE, JANE DOE II, JOHN DOE,
E.C., JOSE MARQUEZ, and HOLLIS
WILSON, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

GOODRX HOLDINGS, INC., CRITEO
CORP., META PLATFORMS, INC., and
GOOGLE LLC.

Defendants.

Lead Case No.: 3:23-cv-00501-AMO

**DECLARATION OF CHRISTIAN
LEVIS IN SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE SUR-REPLY**

CONSOLIDATED CLASS ACTION

COMPLAINT FILED: February 2, 2023

Judge: Hon. Araceli Martínez-Olguín

Date: March 28, 2024

Time: 2:00 PM

Courtroom: 10

1 I, Christian Levis, declare:

2 1. I am an attorney in good standing admitted *pro hac vice* before the Court for this
3 action. I am a partner at Lowey Dannenberg, P.C., and represent the Plaintiffs as Interim Co-Lead
4 Class Counsel in *Doe v. GoodRx Holdings, Inc.*, No. 3:23-cv-00501-AMO (N.D. Cal.). I have
5 personal knowledge of the facts contained herein and if called as a witness would and could testify
6 competently thereto.

7 2. I submit this declaration in support of Plaintiffs' Administrative Motion for Leave to
8 File Sur-Reply (the "Motion").

9 3. On November 22, 2023, Defendant Meta Platforms, Inc. ("Meta") filed a Motion to
10 Sever Claims Against Defendant Meta Platforms, Inc. *See* ECF No. 175 ("Motion to Sever").

11 4. On January 5, 2024, Plaintiffs filed their Opposition to Meta's Motion to Sever. *See*
12 ECF No. 188 ("Opposition").

13 5. On January 19, 2024, Meta filed its Reply in Support of its Motion to Sever. *See* ECF
14 No. 190 ("Reply"). In its Reply, Meta references the January 17, 2024 decision by Judge Orrick in
15 the matter *Doe v. FullStory, Inc.*, No. 3:23-cv-00059-WHO, ECF No. 117 (N.D. Cal. Jan. 17, 2024).

16 6. Because this decision was not available at the time Plaintiffs filed their Opposition,
17 Plaintiffs seek to file a sur-reply to address this recent decision and Meta's arguments related thereto.

18 7. On January 22, 2024, Plaintiffs' counsel contacted counsel for Meta via email
19 seeking a stipulation to Plaintiffs' filing of a sur-reply.

20 8. On January 25, 2024, counsel for Meta stated they would not oppose, but also would
21 not stipulate to, Plaintiffs filing a sur-reply. For this reason, a stipulation could not be obtained for
22 the relief requested in Plaintiffs' Motion.

23 9. Plaintiffs' proposed sur-reply is attached to this declaration as **Exhibit A**.

1 10. A true and correct copy of Judge Orrick’s January 17, 2024 decision in *Doe v.*
2 *FullStory, Inc.*, No. 3:23-cv-00059-WHO, ECF No. 117 (N.D. Cal. Jan. 17, 2024) is attached to this
3 declaration as **Exhibit B**.

4 11. A true and correct copy of the hearing transcript for the proceeding before Judge
5 Orrick in *Doe v. FullStory, Inc.*, No. 3:23-cv-00059-WHO, ECF No. 117 (N.D. Cal. Jan. 17, 2024)
6 on January 17, 2024 is attached as **Exhibit C**.

7 I declare under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct and was executed on January 26, 2024, in White Plains, New York.

9
10 Dated: January 26, 2024

/s/ Christian Levis
Christian Levis